

REMARKS

The Examiner issued a January 24, 2006 Supplementary Office Action Summary to indicate that the January 9, 2006 Office Action is in response to the July 8, 2005 Amendment and Response to Election of Species Requirement. Thus, the October 19, 2005 Office Action is rendered moot. Accordingly, the present Amendment amends the specification and claims based on the condition of the application as of July 8, 2005.

Claims 7, 15, 23 and 25 are pending in this application.

By this Amendment, claim 7 is amended to incorporate the subject matter recited in claim 9. Although claim 9 was withdrawn from examination, the feature recited in claim 9 is supported in the specification at, for example, page 40, lines 19-21 in association with the description of Fig. 17. Thus, the subject matter recited in claim 9, currently incorporated in claim 7, reads on the elected species directed to the embodiment of Fig. 17.

Claims 15, 23 and 25 are amended to recite similar feature originally recited in claim 9. Claims 9, 17, 24 and 26 are canceled. Claims 10 and 18 are amended to change their dependence.

Claims 1-6 are canceled in view of the finality of the Election of Species Requirement. The specification is amended, as the Examiner suggested.

Reconsideration is respectfully requested in view of the above amendments and the following remarks.

I. Objection to the Specification

The Office Action objects to the specification. The specification is amended to obviate the objection. Accordingly, withdrawal of the objection to the specification is respectfully requested.

II. The Claims Define Patentable Subject Matter

The Office Action rejects claims 7, 15, 23 and 25 under 35 U.S.C. §102(e) over Mao (U.S. Patent No. 6,134,090). The rejection is respectfully traversed.

Claims 7, 15, 23 and 25 are amended to recite a ferromagnetic interlayer that contains at least one of oxide, nitride or nitride oxide, as outlined above. Mao does not disclose or suggest this feature.

In particular, the Office Action asserts that Mao discloses a ferromagnetic interlayer 242. See col. 4, lines 37-38. However, Mao discloses that the asserted ferromagnetic interlayer 242 is made of NiFe. See col. 4, lines 37-38. Mao does not disclose or suggest a ferromagnetic interlayer that contains at least one of oxide, nitride, or nitride oxide, as recited in claims 7, 15, 23 and 25. Therefore, Mao does not disclose each and every element recited in claims 7, 15, 23 and 25.

Accordingly, withdrawal of the rejection under 35 U.S.C. §102(e) is respectfully requested.

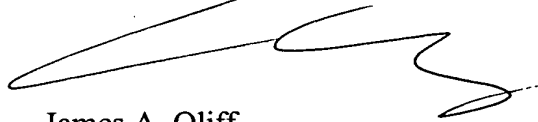
Furthermore, claims 8, 11-14, 16 and 19-22 are patentable at least in view of the patentability of generic claims 7 and 15, from which they respectively depend, as well as for additional features they recite. Accordingly, rejoinder and allowance of claims 8, 11-14, 16 and 19-22 are respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Date: March 30, 2006

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